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Attorneys for Chapter 7 Trustee  
PAUL J. MANSDORF

UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re  
PICONGEN WIRELESS INC.,  
  
Debtor.

Case No. 12-48131 RLE 7

Chapter 7

MOTION FOR ORDER APPROVING SALE  
OF ESTATE'S INTEREST IN  
SUBSTANTIALLY ALL ASSETS OF THE  
BANKRUPTCY ESTATE FREE AND CLEAR  
OF CERTAIN CLAIMS OF LIEN AND OTHER  
INTERESTS

Date: January 9, 2013  
Time: 2:00 p.m.  
Place: Courtroom 201

The Honorable Roger L. Efremsky, United  
States Bankruptcy Judge

TO: THE DEBTOR; THE UNITED STATES TRUSTEE; ALL CREDITORS; OTHER  
INTERESTED PERSONS; THE FOLLOWING DESCRIBED ALLEGED LIEN OR OTHER  
INTEREST HOLDERS; AND TO THEIR RESPECTIVE ATTORNEYS, IF ANY:

**Robert O. Groover III**  
**Groover & Associates PLLC**  
**Box 293748**  
**Lewisville, TX 75029**

**Dale Kluesing**  
**2275 Springwood Drive**  
**Auburn, AL 36830**

**Averett Family Trust**  
**c/o Ruth Donohue**  
**805 General Cornwallis Drive**  
**West Chester, PA 19382**

**Robert O. Groover III**  
**Glast, Phillips & Murphy, P.C.**  
**14801 Quorum Drive, Suite 500**  
**Dallas, TX 75254-1449**

1 On January 9, 2013, at 2:00 p.m., or as soon thereafter as the matter may be heard, before  
2 the Honorable Roger L. Efremsky, United States Bankruptcy Judge, United States Bankruptcy  
3 Court, 1300 Clay Street, Courtroom 201, Oakland, California 94612, Paul J. Mansdorf, Trustee  
4 (the "Trustee") will move, and hereby moves, for an order authorizing him to sell substantially all  
5 of the assets of the bankruptcy estate to xStream Wireless Works, Inc. or nominee, for \$60,000  
6 plus all fees advanced by xStream Wireless Works to preserve the intellectual property. The  
7 assets include all intellectual property, including patent or patent application numbers  
8 20090100495, 20090002556, 20090009662, 20090074051, and 20090006882; all claims or  
9 causes of action relating to the intellectual property; all personal tangible property including  
10 inventory and equipment; and all notes and rights to payment payable by Sai Manapragada. The  
11 assets being sold do not include cash on hand, accounts receivable or notes (other than from Mr.  
12 Manapragada), tax refunds, and avoidance actions. As further consideration, the Petitioning  
13 Creditors Ronald W. Moeckel, Ankit Sahu, and Max Lightfoot waive any claims or rights to  
14 payment from the bankruptcy estate. The sale of the assets will be free and clear of the asserted  
15 liens of Groover & Associates PLLC, Dale Kluesing, and Averett Family Trust because their  
16 asserted liens are in bona fide dispute.<sup>1</sup>

17 The sale is subject to overbids. The first overbid for the assets shall be \$70,000 PLUS all  
18 monies advanced by xStream Wireless Works to preserve the intellectual property estimated to be  
19 \$14,000, and bidding will continue in \$1,000 increments thereafter. Overbidding will take place  
20 at the hearing on the Motion. Anyone wishing to overbid must submit a cashier's check in the  
21 amount of \$70,000 made payable to "Paul J. Mansdorf, Trustee" plus proof of ability to perform  
22 no later 5:00 p.m. PST on Wednesday, December 26, 2012, to the Trustee's counsel, Jeremy W.  
23 Katz, Pinnacle Law Group LLP, 425 California Street, #1800, San Francisco, CA 94104, Tel:  
24 (415) 394-5700. The Trustee reserves the right in his sole discretion to disqualify any prospective  
25 overbidder whom he believes will not be able to perform. In addition, the intellectual property  
26 will be listed for sale on the NABT Asset Sale website.

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28 <sup>1</sup> The terms of the sale are more fully described in the memorandum of points and authorities and in the term sheet  
accompanying the Trustee's declaration in support of the Motion.

1 This Motion is brought pursuant to BLR 6004-1, BLR 9014-1, Rules 2002 and 6004 of  
2 the Federal Rules of Bankruptcy Procedure, and 11 U.S.C. § 363(b)(1) and(f)(4). The Motion is  
3 made on the grounds that the proposed sale of the estate's interest in the assets is in the best  
4 interests of the bankruptcy estate and its creditors and is appropriate for sound business reasons.

5 The Trustee also seeks a waiver of the 14-day stay of Federal Rule of Bankruptcy  
6 Procedure 6004(h).

7 The motion is based on the Motion, the Memorandum of Points and Authorities, the  
8 accompanying declarations, and upon such further and other evidence as the Court may consider.  
9 **Any opposition shall be filed and served on the initiating party at least 14 days prior to the**  
10 **actual scheduled hearing date.**

11 Date: November 30, 2012

PINNACLE LAW GROUP LLP

13 By: Jeremy W. Katz  
14 Jeremy W. Katz  
15 Attorneys for Trustee  
16 PAUL J. MANSDORF  
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